

1 RYAN W. VOLLANS, WSBA #45302
2 WILLIAMS KASTNER & GIBBS, PLLC
3 601 Union Street, Suite 4100
4 Seattle, Washington 98101-2380
5 (206) 233-2873
6 Attorneys for Defendants

7 UNITED STATES DISTRICT COURT
8 FOR THE EASTERN DISTRICT OF WASHINGTON

9 VICTORIA KOMENDA,) NO. 2:22-cv-00200-MKD
10)
11 Plaintiff,) (GRANT COUNTY SUPERIOR
12) COURT CAUSE NO. 22-2-00563-13)
13 v.)
14) NOTICE OF REMOVAL BY
15 LIVE NATION WORLDWIDE, INC, a) DEFENDANT LIVE NATION
16 Delaware Corporation doing business in) WORLDWIDE, INC. AND ISTAR
17 the State of Washington, and ISTAR) BLUES, LLC
18 BLUES, LLC, a Delaware Limited) (CLERK'S ACTION REQUIRED)
19 Liability Company doing business in the)
20 State of Washington, and JOHN DOE)
21 DEFENDANTS 1 through 4,)
22)
23 Defendant.)

24 Defendants Live Nation Worldwide, Inc. ("Live Nation") and iStar Blues,
25 LLC ("iStar"), by their counsel, and pursuant to 28 U.S.C. §1441(a), hereby
removes this action to the United States District Court for the Eastern District of
Washington upon the following grounds:

1. This is a civil action between citizens of different States. Plaintiff
Victoria Komenda is a resident of the State of Washington [Complaint, ¶1.1,
Attachment 1]. Defendant Live Nation Worldwide, Inc. is a corporation formed
under the laws of the State of Delaware, with its principal place of business in

(CLERK'S ACTION REQUIRED) - 1

Williams, Kastner & Gibbs PLLC
601 Union Street, Suite 4100
Seattle, WA 98101-2380
(206) 628-6600

1 Los Angeles County, California. Defendant iStar Blues, LLC is a corporation
2 formed under the laws of the State of Delaware, with its principal place of
3 business in New York. Accordingly, there is complete diversity between Plaintiff
4 and Defendants.

5 2. On or about June 27, 2022, Plaintiff filed her Complaint against Live
6 Nation and iStar Blues in the Superior Court for the State of Washington, Grant
7 County, captioned *Victoria Komenda, Plaintiff v. Live Nation Worldwide, Inc. a*
8 *Delaware Corporation doing business in the State of Washington, and Istar*
9 *Blues, LLC, a Delaware Limited Liability Company doing business in the State of*
10 *Washington, and John Doe Defendants 1 through 4*, which action is currently
11 venued in that Court as Cause No. 22-2-00563-13.

12 3. Plaintiff served Defendants registered agents with the Summons and
13 Complaint on or about June 29, 2022.

14 4. The Complaint sets forth a cause of action for negligence resulting
15 in personal injury. The cause of action is based on injuries sustained from a post
16 cap that fell from the top of the railing at the Gorge concert venue which is
17 operated by Live Nation and was owned by iStar Blues at the time of the alleged
18 incident.

19 5. Plaintiff, Victoria Komenda, claims continuing disability, pain,
20 medical expenses, and other damages as a result of the injury sustained.
21 Plaintiff's Complaint does not allege the amount of damages being sought,
22 however, on August 16, 2022 counsel for Plaintiff provided Defendants' counsel
23 with a demand letter offering a settlement in the amount of \$150,000.00, which
24 was the first paper provided after suit was filed indicating that the jurisdictional
25 limit was satisfied in this case.

(CLERK'S ACTION REQUIRED) - 2

Williams, Kastner & Gibbs PLLC
601 Union Street, Suite 4100
Seattle, WA 98101-2380
(206) 628-6600

1 I CERTIFY THAT THE FOREGOING IS TRUE AND CORRECT.

2 DATED this 15th day of September 2022.

3 s/Ryan W. Vollans

4 Ryan W. Vollans, WSBA #45302

5 s/Sheryl J. Willert

6 Sheryl J. Willert, WSBA #08617

7 WILLIAMS, KASTNER & GIBBS PLLC

8 601 Union Street, Suite 4100

9 Seattle, WA 98101-2380

10 Telephone: (206) 628-6600

11 Fax: (206) 628-6611

12 Email: rvollans@williamskastner.com

13 swillert@williamskastner.com

14 *Counsel for Defendants Live Nation*

15 *Worldwide, Inc. and Istar Blues, LLC*

16
17
18
19
20
21
22
23
24
25
(CLERK'S ACTION REQUIRED) - 4

Williams, Kastner & Gibbs PLLC
601 Union Street, Suite 4100
Seattle, WA 98101-2380
(206) 628-6600

CERTIFICATE OF SERVICE

The undersigned certifies under penalty of perjury under the laws of the State of Washington that on the date indicated below; I caused service of a true and correct copy of the foregoing document in the manner indicated below to:

DAWSON BROWN, PS
Robert K. Dawson, WSBA No. 8881
800 5th Avenue, Suite 3850
Seattle, WA 98104-3101
Phone: (206) 262-1444
Fax: (206) 264-8888
Email: dawson@dawson-brown.com

☒ US Mail
☒ Email

Counsel for Plaintiff

DATED this 15th day of September 2022.

WILLIAMS KASTNER & GIBBS PLLC

s/ Ryan McDade

Ryan McDade, Legal Assistant
rmcdade@wkg.com

(CLERK'S ACTION REQUIRED) - 5

Williams, Kastner & Gibbs PLLC
601 Union Street, Suite 4100
Seattle, WA 98101-2380
(206) 628-6600